

August 8, 1968

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Hale Champion, Development Administrator
SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petition No. Z-1197
Longwood Medical Trust
321 Longwood Avenue, Boston

Petitioner seeks a Forbidden Use Permit, four variances and approval to charge a fee for the open air parking of 82 cars in an Apartment (H-3) district. The petition would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A parking lot is a Forbidden Use in an H-3 district		
Sect. 10-1	Parking is not allowed in front yard or within five feet of side lot line		
Sect. 18-1	Front yard is insufficient	15 ft.	0
Sect. 19-1	Side yard is insufficient	15 ft.	0
Sect. 20-1	Rear yard is insufficient	30 ft.	0

The property, presently a private parking lot, is located on Longwood Avenue between Blackfan and Binney Streets. The petitioner proposes to charge a fee of \$10 monthly to doctors and employees and \$1.50 maximum daily to patients and visitors of the various institutions in the area. The proposal would provide a beneficial service by providing approximately 82 parking spaces to an area which now lacks adequate off-street parking facilities. Recommend approval.

VOTED: That in connection with Petition No. Z-1197, brought by Longwood Medical Trust, 321 Longwood Avenue, Boston, for a Forbidden Use Permit and variances of parking not allowed in front yard or within five feet of side lot line, insufficient front, rear and side yards, and approval to charge a fee for the open air parking of 82 cars in an Apartment (H-3) district, the Boston Redevelopment Authority recommends approval. The proposal would provide a beneficial service in this institutional area by providing approximately 82 parking spaces in an area which now lacks adequate off-street parking facilities.

Re: Petition No. Z-1198
South End Builders, Inc.
694 Tremont Street, Boston

Petitioner seeks a variance to change occupancy from four apartments and store to eight apartments and store in an Apartment (H-2) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Usable open space is insufficient	150 sq.ft./du	64 sq.ft./du

The property is a four-story brick structure located on Tremont Street at the intersection of Tremont and Rutland Streets. The open space deficiency and the proposed increase in density does not conform with the approved South End Urban Renewal Plan. Recommend denial.

VOTED: That in connection with Petition No. Z-1198, brought by South End Builders, Inc., 694 Tremont Street, Boston, for a variance of insufficient open space to change occupancy from four apartments and store to eight apartments and store in an Apartment (H-2) district, the Boston Redevelopment Authority recommends denial. The proposed increase in density does not conform with the approved South End Urban Renewal Plan.

Re: Petition No. Z-1199
Mabel Chin
274A-276 Shawmut Avenue, Boston

Petitioner seeks a Conditional Use Permit to change occupancy from three families and store to three families and art school in an Apartment (H-2) district. The proposal would violate the code as follows:

Sect. 8-7 An art school is a Conditional Use in an H-2 district. The property is a four-story brick structure located on Shawmut Avenue between Waltham and Bradford Streets. The art school is an existing use and is compatible with the general character of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1199, brought by Mabel Chin, 274A-276 Shawmut Ave., Boston, for a Conditional Use Permit to change occupancy from three families and store to three families and art school in an Apartment (H-2) district, the Boston Redevelopment Authority recommends approval. The art school is an existing use and is compatible with the general character of the neighborhood.

Re: Petition No. Z-1200
Melville C. Gamble
38-42 Joy Street, Boston

Petitioner seeks a Forbidden Use Permit and a variance to change occupancy from four apartments, eight studio apartments and a restaurant to fourteen apartments and an artist's office and display room in an Apartment (H-2-65_ district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	An artist's studio is a Forbidden Use in an H-2-65 district		
Sect. 17-1	Usable open space is not provided	150 sq.ft./du	0

The property is a three-story brick structure located on Joy Street near the intersection of Joy and Myrtle Streets. The restaurant, which apparently has been vacant for some time, would be used by a commercial artist for display and office purposes. The open space deficiency is an existing condition as the building covers the entire lot. The proposal would not have an injurious affect on the surrounding properties. Recommend approval.

VOTED: That in connection with Petition No. Z-1200, brought by Melville C. Gamble, 38-42 Joy Street, Boston, for a Forbidden Use Permit and a variance of usable open space not provided to change occupancy from four apartments, eight studio apartments and a restaurant to fourteen apartments and an artist's office and display toom in an Apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. The proposal would provide a more productive occupancy to replace a non-existent restaurant and would not have an injurious affect on the adjacent properties.

Re: Petition No. Z-1202
Cornelius & Anne Lynch
121 Thompson Street, Hyde Park

Petitioner seeks three variances to change occupancy from a one family dwelling to a one family dwelling and one car garage in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 18-1	Front yard is insufficient	25 ft.	17 ft.
Sect. 19-1	Side yard is insufficient	10 ft.	5 ft.
Sect. 20-1	Rear yard is insufficient	24 ft.	14 ft.

The property is located at the end of Thompson Street overlooking Stoney Brook Reservation. The petitioner is unable to comply with the code requirements because of the unusual topography of the lot. The proposed garage, which would be attached to the residence, is a reasonable use of land. Recommend approval.

VOTED: That in connection with Petition No. Z-1202, brought by Cornelius & Anne Lynch, 121 Thompson Street, Hyde Park, for variances of insufficient front, side and rear yards to change occupancy from a one family dwelling to a one family dwelling and one car garage in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The unusual topography of the lot would prevent the petitioner from complying with code requirements. The proposed garage would not be injurious to the neighborhood.

Re: Petition No. Z-1204
L & L Development, Inc.
24 Hawthorne Street, Roxbury

Petitioner seeks four variances to erect a three story and basement 23 unit apartment structure in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	550 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	0.8	1.18
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	204 sq.ft./du
Sect. 18-1	Front yard is insufficient	20 ft.	14 ft.

The property is located on Hawthorne Street near the intersection of Hawthorne and Cedar Streets. The surrounding neighborhood is low density residential. The proposed high density development would be inconsistent with the general character of the existing neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1204, brought by L & L Development, Inc., 24 Hawthorne Street, Roxbury, for variances of insufficient lot area for additional dwelling unit, usable open space, front yard and excessive floor area ratio to erect a three story and basement 23 unit apartment structure in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed high density development would be inconsistent with the existing low density residential area.

Re: Petition No. Z-1205
Beinke Corporation
120 Victory Road, Dorchester

Petitioner seeks a Forbidden Use Permit and four variances to erect a one story rear addition to an existing bakery shop in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A bakery and a restaurant are Forbidden in an S-.5 district		
Sect. 14-2	Lot area for additional unit is insufficient	4000 sq.ft./du	534 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	0.5	0.57
Sect. 20-1	Rear yard is insufficient	50 ft.	6 ft.

The property is located on Victory Road at the intersection of Victory Road and Blanche Street. The petitioner would demolish an existing three family dwelling and erect a restaurant addition to the rear of a bakery shop. The proposed extension of a commercial use into a residential district is incongruous and would have a detrimental affect on the adjacent residential properties. Recommend denial.

VOTED: That in connection with Petition No. Z-1205, brought by Beinke Corporation, 120 Victory Road, Dorchester, for a Forbidden Use Permit and variances of parking not allowed within five feet of side lot line, insufficient lot area for additional unit, rear yard and excessive floor area ratio to erect a one story restaurant addition to the rear of a bakery shop in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends denial. The proposed extension of a commercial use into a residential district is incongruous and would have a detrimental affect on the adjacent residential properties.

Re: Petition No. Z-1206
Associated Auto Body Inc.
472 East First Street, South Boston

Petitioner seeks a Conditional Use Permit to use premises for the sale and display of 20 used cars in a Waterfront (W-2) district. The proposal would violate the code as follows:

, Sect. 8-7 The outdoor sale or display of new or used
motor vehicles is a Conditional Use in a W-2 district

The property is a fenced-in lot located on East First Street near the intersection of East First and H Streets. The area is highly industrialized and the proposed use would not be inconsistent with adjacent uses. Recommend approval.

VOTED: That in connection with Petition No. Z-1206, brought by Associated Auto Body Inc., 472 East First Street, South Boston, for a Conditional Use Permit to use premises for the sale and display of 20 used cars in a Waterfront (W-2) district, the Boston Redevelopment Authority recommends approval. The proposal is consistent with other uses in this industrialized area.

Re: Petition No. Z-1207
Bruce Estabrooke
23 Pleasant Street, Hyde Park

Petitioner seeks three variances to erect a one family dwelling in a Single Family (S-.3) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-1	Minimum lot area is insufficient	9000 ft.	6716 ft.
Sect. 14-3	Lot width is insufficient	70 ft.	60 ft.
Sect. 14-4	Street frontage is insufficient	70 ft.	60 ft.

The property is located on Pleasant Street near the intersection of Pleasant and Beacon Streets. Similar site lots exist in the immediate area. The lot width and street frontage violations are minimal. Recommend approval.

VOTED: That in connection with Petition No. Z-1207, brought by Bruce Estabrooke, 23 Pleasant St., Hyde Park, for variances of insufficient minimum lot area, lot width and street frontage to erect a one family dwelling in a Single Family (S-.3) district, the Boston Redevelopment Authority recommends approval. The lot area is similar to many others in the immediate neighborhood. The lot width and street frontage violations are minimal.

Re: Petition No. Z-1209
Peter J. Maregni, Trustee
35 Portsmouth Street, Brighton

Petitioner seeks six variances to erect a three story and basement-15 unit apartment structure in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 10-1	Parking not allowed in front yard nor within five feet of side lot line		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	284 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	0.8	1.28
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	400 sq.ft./du
Sect. 18-1	Front yard is insufficient	20 ft.	10 ft.
Sect. 20-1	Rear yard is insufficient	40 ft.	36 ft.

The property is located on Portsmouth Street abutting the Portsmouth Street playground. The petitioner would demolish an existing three story dwelling to erect a 15-unit apartment building in a low density residential district. The numerous violations reflect the incongruity of the proposed high density development. Portsmouth Street is a narrow public way which could not adequately absorb the additional traffic which would be generated by this development. Recommend denial.

VOTED: That in connection with Petition No. Z-1209, brought by Peter J. Maregni, Trustee, for variances of parking not allowed in front yard nor within five feet of side lot line, insufficient lot area for additional dwelling unit, usable open space, front yard, rear yard and excessive floor area ratio to erect a three story and basement 15-unit apartment structure in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The numerous violations reflect the incongruity of the proposed high density development. Portsmouth Street is a narrow public way which could not adequately absorb the additional traffic which would be generated by this development.

Re: Petition No. Z-1203
AMH Realty Trust
26 Allston Street, Brighton

Petitioner seeks three variances to erect a three story and basement 20-unit apartment house in a Residential (R-.8) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1500 sq.ft./du	600 sq.ft./du
Sect. 15-1	Floor area ratio is excessive	0.8	0.9
Sect. 17-1	Usable open space is insufficient	800 sq.ft./du	367 sq.ft./du

The property is located on Allston Street near the intersection of Brighton Avenue and Allston Street. The petitioner would demolish two duplex dwellings and garages to erect a 3-story, 20 unit apartment house. The proposal is inconsistent with the general residential character of the immediate area. There are no special circumstances or conditions to justify the granting of the variances. Recommend denial.

VOTED: That in connection with Petition No. Z-1203, brought by AMH Realty Trust, 26 Allston St., Brighton, for variances of insufficient lot area for additional dwelling unit, usable open space and excessive floor area ratio to erect a three story and basement 20-unit apartment structure in a Residential (R-.8) district, the Boston Redevelopment Authority recommends denial. The proposed density is inconsistent with the general residential character of the immediate area. There are no special circumstances or conditions to justify the granting of the variances.

Re: Petition No. Z-1210
Max Sass
1060A Blue Hill Avenue, Dorchester

Petitioner seeks a change in a non-conforming use to change occupancy from a bakery and storage to an egg storage plant and one car repair garage in a Local Business (L-1) district. The proposal would violate the code as follows:

Sect. 9-2 A change in a non-conforming use requires a
Board of Appeal hearing

The property is located on Blue Hill Avenue between Arbutus and Callender Streets. The petitioner would utilize the rear of the one story structure for a one car repair garage. Access to the garage and storage facility would be from a residential street in the rear of the property. The garage would have an injurious affect on the adjacent residential neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-1210, brought by Max Sass, 1060A Blue Hill Avenue, Dorchester, for a change in a non-conforming use to change occupancy from a bakery and storage to an egg storage plant and one car repair garage in a Local Business (L-1) district, the Boston Redevelopment Authority recommends denial. The proposed garage is an unreasonable land use and would have an injurious affect on the adjacent residential neighborhood.

Re: Petition No. Z-1211
John & Mary Corey
10-22 Northampton & 8-10 Fellows Streets
Boston

Petitioner seeks a variance to erect a gasoline service station in a Light Manufacturing (M-1) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 20-1 Rear yard is insufficient	20 ft.	8 ft.

The property, a vacant lot, is located at the intersection of Northampton and Fellows Streets. The petitioner proposes to erect a three-bay gasoline service and inspection station. The rear yard violation is minimal and would not adversely affect the adjacent properties. Recommend approval.

VOTED: That in connection with Petition No. Z-1211, brought by John & Mary Corey, 10-22 Northampton and 8-10 Fellows Streets, Boston, for a variance of insufficient rear yard to erect a three-bay gasoline service and inspection station in a Light Manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. The rear yard violation is minimal and would not adversely affect the adjacent properties.

Re: Petition No. Z-1213
Maria Rosaki
71 Arlington Street, Hyde Park

Petitioner seeks a Forbidden Use Permit and three variances to change occupancy from a one family to two families in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A two family dwelling is Forbidden in an S-.5 district		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	4000 sq.ft./du	150 sq.ft./du
Sect. 18-1	Front yard is insufficient	30 ft.	15½ ft.
Sect. 19-1	Side yard is insufficient	12 ft.	3 ft.

The property, a 2½ story frame structure, is located on Arlington Street between River Street and Central Avenue. The petitioner proposes to convert a rather large single family dwelling into a two family dwelling. The proposed conversion would not adversely affect the neighborhood. Other two family residences exist on the street. Recommend approval.

VOTED: That in connection with Petition No. Z-1213, brought by Maria Rosaki, 71 Arlington Street, Hyde Park, for a Forbidden Use Permit and variances of insufficient lot area for additional dwelling unit, front and side yards, to change occupancy from one to two families in a Single Family (S-.5) district, the Boston Redevelopment Authority recommends approval. The yard violations are existing. Similar residences exist on the street and the proposal would be consistent with the residential character of the neighborhood.

Re: Petition No. Z-1215
My Bread Realty Corp.
1089-1095 Dorchester Avenue, Dorchester

Petitioner seeks a change in a non-conforming use to change occupancy from wholesale distribution of baked goods, garage and retail store to wholesale distribution of grocery goods, general merchandise and retail store in a local Business (L-1) district. The proposal would violate the code as follows:

Sect. 9-2 A change in a non-conforming use required the approval of the Board of Appeal.

The property is located on Dorchester Avenue at the intersection of Dorchester Avenue and Doris Streets. The proposal is similar to the existing non-conforming use, would eliminate an existing garage and would be consistent with the general business character of the area.

VOTED: That in connection with Petition No. Z-1215, brought by My Bread Realty Corp., 1089-1095 Dorchester Avenue, Dorchester, for a change in a non-conforming use to change occupancy from wholesale distribution of baked goods, garage and retail store to wholesale distribution of grocery goods, general merchandise and retail store in a Local Business (L-1) district, the Boston Redevelopment Authority recommends approval. The proposal is similar to the existing non-conforming use, would eliminate a garage and would be consistent with the general business character of the area.

Re: Petition No. Z-1216
Wong Wah
19 Vancouver Street, Boston

The petitioner seeks a Forbidden Use Permit to change occupancy from three apartments to three apartments and a coffee shop in an Apartment (H-2) district. The proposal would violate the code as follows:

Sect. 8-7 A coffee shop is Forbidden Use in an H-2 district.

The property is a three story and basement brick structure located on Vancouver Street at the intersection of Vancouver Street and Huntington Avenue. The petitioner would utilize the basement area for the coffee shop operation serving local residents and employees of adjacent institutions. The area would eventually be changed to a General Business (B-4) district pursuant to the approved Fenway Urban Renewal Plan. Recommend approval.

VOTED: That in connection with Petition No. Z-1216, brought by Wong Wah, 19 Vancouver Street, Boston, for a Forbidden Use Permit to change occupancy from three apartments to three apartments and coffee shop in an Apartment (H-2) district. The Boston Redevelopment Authority recommends approval. The location is included in a proposed zone change to General Business (B-4) pursuant to the approved Fenway Urban Renewal Plan. The proposal would benefit local residents and employees of adjacent institutions.